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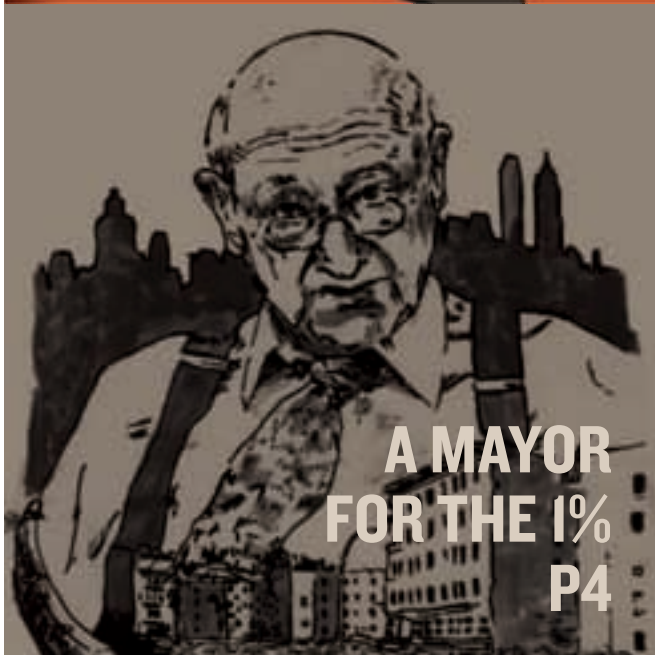
# THE INDYPENDENT

Issue #184, February 20, 2013 – March 19, 2013  
A FREE PAPER FOR FREE PEOPLE

## Death at My Doorstep

INSIDE THE INNER CITY GUN CRISIS  
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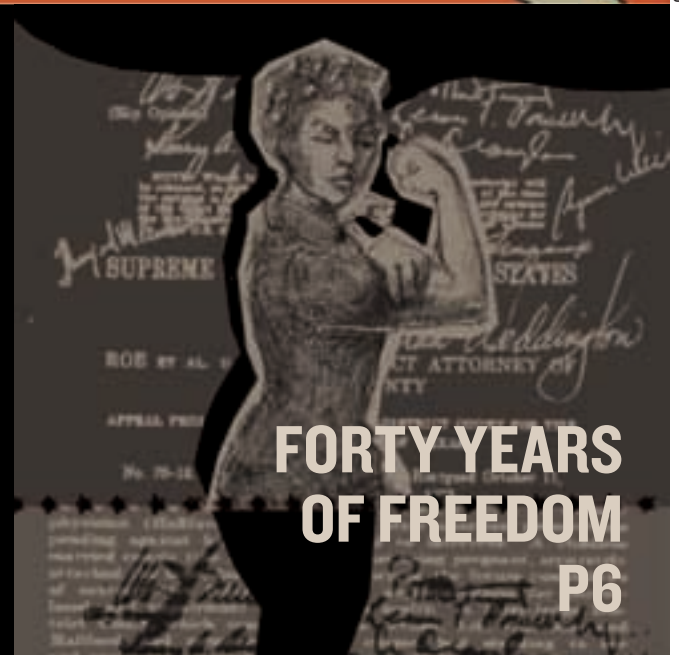
CATHERINE BYUN



A MAYOR  
FOR THE 1%  
P4



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AT THE MOVIES  
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FORTY YEARS  
OF FREEDOM  
P6





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The Indypendent is a New York-based free newspaper published 13 times a year on Mondays for our print and on-line readership of more than 100,000. It is produced by a network of volunteers who report, write, edit, draw, design, take photos, distribute, fundraise and provide website management. Since 2000, more than 700 journalists, artists and media activists have participated in this project. The Indy accepts submissions, but we reserve the right to edit articles for length, content and clarity.

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## community calendar

### THU FEB 21—SUN MAR 24

Noon to 5pm (Sundays, Tuesdays, Wednesdays) • Free  
EXHIBIT: REBEL NEWSPRINT: THE UNDERGROUND PRESS IN THE 1960s.  
Features underground newspapers including Berkeley Barb, Chicago Seed, Black Panther, East Village Other and related artifacts to illustrate the process, graphic sensibilities, historical context and debates shaping these periodicals.  
Interference Archive  
131 8th St #4, Bklyn  
interferencearchive.org

### SUN FEB 24

7pm • Free  
VIEWING PARTY: Watch the Academy Awards in the main screening room of the only independent film house north of 72nd St. in Manhattan. Unlimited refills of organic popcorn.  
Maysles Institute  
343 Malcolm X Blvd (btwn 127th and 128th)  
212- 537-6843 • mayslesinstitute.org

### MON. FEB 25

7:00pm • \$10  
DISCUSSION: THE BLACK COMMUNITY & MARRIAGE EQUALITY. A timely discussion of same-sex marriage with author Obery Hendricks, historian Michael Eric Dyson along with Aisha Moodie-Mills, advisor for the Center for American Progress and Executive Director for the National Black Justice Coalition, Sharon Lettman-Hicks.  
Schomburg Center, Langston Hughes Auditorium  
515 Malcolm X Blvd (btwn 135th and 136th)  
For tickets, 888-718-4253 or showclix.com

### WED FEB 27

7pm • Free  
SPEAKER: THE LEADERLESS REVOLUTION. Author and former British diplomat Carne Ross discusses his new book, “The Leaderless Revolution: How Ordinary People Will Take Power and Change Politics in the 21st Century.”  
Bluestockings  
172 Allen St.  
212-777-6028 • bluestockings.com

### THU FEB 28

6:30pm • \$20  
DISCUSSION: THE FUTURE OF WATER.  
A conversation among expert scientists

on water and climate, cities, food security, the role of corporations and ecosystems discuss the most promising ways to address the likelihood that we will live in a world of increasingly scarce water supplies.  
New York Academy of Sciences  
7 World Trade Center, 250 Greenwich St, 40th Fl.  
212-298-8600 • nyas.org

### FRI MAR 1

Various Times • \$11  
MOVIE: A FIERCE GREEN FIRE. From conservation to climate change, a journey through the history of the environmental movement over the past 50 years.  
Cinema Village  
22 East 12th St  
212-924-3363 • cinemavillage.com

10 PM • Free  
MOONLIGHT BIKE RIDE: Join fellow cyclists on a late-night pedal through beautiful Central Park.  
Time’s Up!  
SW corner of Central Park at the intersection of Broadway, 59th St and Central Park West  
212-802-8222 • times-up.org

### WED MAR 6

6:30 PM • Free  
WORKSHOP: BASICS OF BIKE MAINTAINENCE. Bring your own bicycle and work on it yourself with the aid of Time’s Up! mechanics and tools.  
Times Up!  
99 South 6th St, Bklyn  
212-802-8222 • times-up.org

### SAT MAR 9

8pm • \$18 Suggested donation, no one turned away  
BENEFIT CONCERT: An extraordinary lineup of singers and musicians including Hudson Valley Sally, Joel Landy, The Lords of Liechtenstein, Thelma Thomas and Wool & Grant will perform to raise funds for the People’s Music Network.  
Peoples’ Voice Cafe  
40 East 35th St (Community Church)  
212-787-3903 • peoplesvoicecafe.org

### FRI MAR 15

6:30pm • \$2 suggested donation  
MOVIE: RESISTING GENITAL MUTILATION.  
The latest installment in the Professional Staff Congress’s year-long film series featur-

## FEB—MAR

## UPCOMING EVENTS

### SAT, FEB 23 • 1:30pm–4:00pm

4-SESSION CLASS OR STAND-ALONE SEMINARS  
The Housing Question  
Housing & Displacement after Sandy  
Tom Angotti & Peter Marcuse with Special Guests  
4-sessions: \$35, Individual session: \$10

### SAT, MAR 9 • 10:00am–6:00pm

1-DAY WORKSHOP  
Co-sponsor: Theater of the Oppressed Laboratory  
Debt Oppression: How Owing Money Harms People, Communities & Society  
A One-day Image Theater/Cop-in-the-Head Workshop  
Facilitated by Marie-Claire Picher  
Sliding scale: \$45/\$70/\$95

### WED, MAR 13 • 7:30pm

TALES OF THE 1% FILM SERIES  
The Lost Honor of Katharina Blum  
Discussion with Peter Schulman  
Dirs. Volker Schlöndorff & Margarethe von Trotta | 1975 | 106 min | West Germany  
Sliding scale: \$6/\$10/\$15

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ing cinema from the Muslim and Arab world, this 2004 film by acclaimed Senegalese director Ousmane Sembene depicts the conflict in a traditional African village over growing resistance to female genital mutilation.  
PSC Union Hall  
61 Broadway, 16th Fl.  
212-354-1252 • psc-cuny.org

### TUE MAR 19

PROTEST: IRAQ WAR 10TH ANNIVERSARY.  
Save the date & look for more information at warresisters.org, veteransforpeace.org, iacenter.org/nyc\_actions & indypendent.org.

### FRI MAR 22—SUN MAR 24

All Day  
CONFERENCE: ORGANIZING NEW YORK.  
Three days of sharing skills and strategies for community activists, trade unionists, non-profit advocates, techies and more.  
Organizing New York

52 Broadway (near Wall St)  
organizing20.org

### FRI MARCH 29

12:30 pm • Free  
WORKSHOP: ANTI-RACISM & FOOD JUSTICE. Speakers will present on work being done by organizers from communities of color and white communities in NYC, followed by a discussion about strategies for creating a just food system for all.  
Setting an Anti-Racist Table at Food & Finance High School  
525 West 50th St  
212-650-5008 • anti-racist-table.weebly.com

SUBMIT YOUR EVENTS AT INDY-EVENTS@GMAIL.COM

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Bluestockings  
172 Allen St.  
Native Bean  
50 Avenue A  
Theater for the New City  
152 First Ave.  
Mamoun’s Falafel Restaurant  
22 St. Mark’s Pl.  
Housing Works  
126 Crosby St.  
Shakespeare & Co.  
716 Broadway  
Hudson Park Library  
66 Leroy St.  
Brecht Forum  
451 West St.

### 14TH TO 96TH ST.

Epiphany Library  
228 E. 23rd St.  
Muhlenberg Library  
209 W. 23rd St.  
Columbus Library  
942 Tenth Ave.  
Manhattan Neighborhood Network  
537 W. 59th St.  
ABOVE 96TH ST.  
Book Culture  
526 W. 112th St.  
Harlem Library  
9 W. 124th St.  
George Bruce Library  
518 W. 125th St.

Hamilton Grange Library  
503 W. 145th St.  
Uptown Sister’s Books  
W. 156th St. & Amsterdam

### BROOKLYN

Brooklyn Museum  
200 Eastern Pkwy.  
Brooklyn Library  
1044 Eastern Pkwy.  
Tea Lounge  
Union St. & Seventh Ave.  
Verb Café  
Bedford Ave. & N. 5th St.  
Pacific Street Library  
25 Fourth Ave.  
Outpost Café  
1014 Fulton St.

Kaisa’s Café  
146 Bedford Ave.  
Bedford Library  
496 Franklin Ave.  
Parkside Deli  
203 Parkside Ave.

### BRONX

Mott Haven Library  
321 E. 140th St.  
Mi Casa Bakery  
18 E. Bedford Park Blvd  
STATEN ISLAND  
St. George Library Center  
5 Central Ave.  
Port Richmond Library  
75 Bennett St.

# THANK YOU

Your generous support helped *The Indypendent* raise a magnificent \$17,107 in our annual winter fund drive. Every gift makes a difference. We couldn’t do it without you!

—STAFF OF *The Indypendent*

# 'Immigrants Are Not the Enemy'

## BUT REFORM BID FACES MANY HURDLES

BY RENÉE FELTZ

Since President Obama was re-elected with great help from Latino voters, he has taken care to repeatedly call for comprehensive immigration reform. In his inaugural address, during a talk on the topic in Nevada, and in his State of the Union speech, Obama repeatedly said he wanted to pass legislation to bring an estimated 11 to 12 million undocumented people in the United States out of the shadows. "We must act," Obama declared. "We cannot afford to delay."

Indeed, the cost of inaction so far has been great. More than 1.5 million people have been deported under Obama's watch. At this rate, it is estimated the United States will have removed more people in the past six years than all of those deported before 1997.

For many immigrant families this translates into a daily reality in which they live in constant fear. In one of countless examples, Guatemalan-born Edi Arma, a Phoenix, Ariz. resident, recently shared his story on *Democracy Now!* of being confronted in his driveway by several agents from Immigration and Customs Enforcement (ICE) as he prepared to take his U.S.-born children to school. His 11-year-old son Jose witnessed the incident and recalled that "when I was trying to say goodbye, they pushed me, and I fell on the ground." Arma was eventually released with help from a local congressman, and given one year to continue working in this country before he faces deportation once again.

Closer to home, 19-year-old Brooklyn resident Janna Hakim recently described watching her mother be taken away by ICE after living in the United States for more than 20 years. "Every word my mother told me about this country I believed," said the Palestinian Muslim American college student, "until she was ripped away from me and my siblings." Hakim's mother was deported after being held for three months in a detention center in New Jersey, and is now limited to caring for her three children by telephone from Ramallah.

So it was a welcome surprise for many when a bipartisan group of U.S. senators recently declared 2013 the year of immigration reform. They released a set of guiding principles that provide a path to legal residency for many of the country's 11 to 12 million undocumented immigrants that includes many of the criteria outlined in the chart below.

The president followed the next day with his own announcement that largely mirrored the proposal, and even improved on it by dropping the border security "trigger" that would require a panel of politicians to declare the border secure before enabling movement on the path to citizenship. But

a close look at these proposals reveals this path is incredibly narrow, and could leave millions in the situation faced by the Arma and Hakim families.

"We call on President Obama and Congress to propose concrete legislation that leads to the immediate removal of unnecessary barriers to citizenship," says Arturo Carmona, executive director of Presente.org.

He says these barriers include English language proficiency requirements that until now have only been required for naturalization, unfair employment verification that could be used to exploit workers instead of to ensure their rights, and hefty fees and fines in order to "earn" legalization.

Beyond these concerns, the framework proposed by Congress and Obama so far is ultimately still one that continues to criminalize immigrants — calling on more border security even though such enforcement already has an \$18 billion budget — larger than the combined budgets of the FBI, the Marshals Service, the Secret Service, the Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco and Firearms.

Meanwhile, far from the U.S.-Mexico border, thousands of immigrants continue to be drawn into a dragnet meant to target criminals that instead has resulted in the detention and removal of people who come into contact with police after looking for help, or being stopped for minor traffic infractions.

"Immigrants are not the enemy, yet programs such as Secure Communities have unnecessarily vilified domestic violence victims, entrepreneurs and family members," says New York City Councilmember Jumaane Williams, himself a child of Caribbean immigrants. Williams has also called for better conditions in detention centers, both public and private.

All of this comes as key Republicans have begun to push back on any path to citizenship. Sen. Jeff Sessions (R-Ala.) said after Obama's State of the Union address that the president's "plan meets the desire of businesses for low-wage foreign workers while doing nothing to protect struggling American workers." Sessions sits on the Senate Judiciary Committee, which will shape any immigration legislation. Critics say the measures he and other conservatives support would amount to a guest worker program in which migrants could be forced into poor working conditions for limited amounts of time before they were required to return to their home countries.

For now, the focus of immigrant advocates is to gain momentum to achieve the best possible outcome for as many — not as few — as possible. A massive rally is planned for April 10 in Washington, D.C., falling on the seventh anniversary of the

last great upsurge in immigrant rights protests in 2006.

"We've been working toward this moment for a long time, building the immigrant electorate, highlighting the injustices of our immigration system, not giving up against great odds," says Chung-Wha Hong, executive director of the New York

Immigration Coalition. "That persistence has paid off; there's movement in Washington after years of partisan gridlock on the issue."

But the fight is clearly not over yet.









Renée Feltz is a producer at Democracy Now!.

### EIGHT WAYS TO SHRINK IMMIGRATION REFORM

11 MILLION

Undocumented immigrants living in the U.S. now will likely have to wait decades for citizenship. But a host of ideas being debated would still disqualify large numbers of them.

HOW MANY PEOPLE WILL BE INELIGIBLE?

- 1** Half of undocumented families could have to sacrifice 1/3 of their income to afford a \$10k penalty.  **HALF OF FAMILIES**
- 2** 3.6 to 5.8 million could be excluded by an English language requirement.  **3.6-5.8 MILLION**
- 3** Millions could be excluded for often decades-old crimes like using false papers or pot possession.  **MILLIONS**
- 4** Over 1.6 million could be left out by a 5 year residency requirement.  **1.6 MILLION +**
- 5** Over 1 million could be excluded by proof-of-work requirement, a third would be women.  **1 MILLION +**
- 6** 40,000 gay and lesbian couples could be barred due to the Defense of Marriage Act.  **40,000**
- 7** An unknown number who have returned or refused to leave after a deportation order could be barred.  **?**
- 8** 400,000 prospective citizens will be deported this year if current enforcement trends continue.  **400,000**

Sources:

"Unauthorized Immigrants: Length of Residency, Patterns of Parenthood," Pew Hispanic Center, December 2011

"Earned Legalization," Migration Policy Institute, January 2011

"Same Sex Couples and Immigration in the United States," UCLA Williams Institute, November 2011

COLORLINES.com



# Christine Quinn & Labor



WILLIAM ALATRISTE

**SHE'S ALL BUSINESS:** A number of NYC labor unions are trying to get in the good graces of 2013 mayoral front-runner Christine Quinn (above), but she's running as if they don't exist.

BY ARI PAUL

Who is to blame for organized labor's descent into political irrelevancy? Ronald Reagan? The Koch brothers? Good answers, but maybe we need to look at labor leaders themselves.

Consider the case of this year's mayoral race in New York City, one of the last bastions of union political power. There are three candidates in the Democratic Party primary who are considered progressive — former comptroller and previous mayoral nominee William Thompson, current Comptroller John Liu and Public Advocate Bill de Blasio. The frontrunner is City Council Speaker Christine Quinn, who over the years has curried favor with Mayor Michael Bloomberg and the real estate sector. She also angered labor activists by blocking a measure that would grant paid sick days to low-wage retail workers.

The *New York Times* reported that the Retail, Wholesale and Department Store Union (RWDSU) has endorsed Quinn because she is the most electable candidate in a year when the Democrat will likely face a strong Republican in the general election. United Food and Commercial Workers (UFCW) Local 1500 spokesperson Pat Purcell defended his union's endorsement of Quinn to *City & State*, saying, "Nowhere has Speaker Quinn said that she opposes paid sick days. She says she supports the concept, but there is a very real conversation to be had about, especially now in light of [Hurricane] Sandy, when do you do a paid sick bill and how do you do it in a way that does not put a burden on an already fragile economy? We're very supportive of paid sick days, but we also have to look at the big picture."

Quinn's campaign is already awash with union money, including donations from the two largest Service Employees International Union (SEIU) locals in New York City, 1199 (healthcare workers) and 32BJ (building workers, security guards and custodians).

Was the outrage over Quinn's allegiance to Bloomberg and the business lobby on the sick days bill all for show? Now Quinn can sleep soundly at night knowing that shoving her thumb in the eyes of low-wage workers has caused no political consequence. According to the RWDSU, she is the "electable" candidate, meaning the one who has raised the most money and is closest to the incumbent.

Purcell's argument that Quinn supports the bill's concept is a tad naïve. Anyone who has played the political game long enough knows

that when you ask a politician "when?" and she says "later," she really means "never." Purcell also makes two arguments on behalf of the bosses: the "shock doctrine" method of invoking an unprecedented catastrophe to subvert any reform efforts, and the implication that worker protections are antithetical to prosperity, a myth that labor activists have gone to great lengths to refute with regard to this legislation.

It makes one wonder why unions bother with political endorsements at all. If they're just going to wait to see which Democrat raises the most cash and then offer support to that candidate, what incentive does the candidate have to return the political favor after he or she is elected? It's a bit like the insecure kid on the playground who wants to join the in-crowd. He waits to see what dominant opinion is and then registers his agreement. It'll make him feel accepted — but none of the cool kids are really that interested.

Political risk aversion is deeply rooted. RWDSU president Stuart Appelbaum drew a salary of just under \$250,000 in 2011 (2012 data is not yet available), as did UFCW Local 1500 President Bruce Both. Unless rank-and-filers mount an opposition campaign based on these issues, these leaders have little reason to choose principle over closeness with Democratic leaders. In 2014, a single mom working at a fast-food joint may fall behind in her rent because of missing work due to an illness, but these two men will be unscathed in a faraway tax bracket.

Here's the kicker: The city is making progress in passing the sick-days bill, although it now includes a new line allowing managers to offer shift-swapping as an alternative to sick days. Rahul Saksena, the policy director of the Restaurant Opportunities Center of New York, said that the organization was "concerned about the so-called 'shift-swapping' provision, which our members tell us will give restaurant owners and managers the green light to continue pressuring their workers to swap shifts instead of taking a paid sick day. Shift-swapping is the current practice in the restaurant industry. It is a broken practice that should not be legitimized by the law."

So maybe Quinn will oversee a sick-days bill after all. If so, it will be one weakened by the political process — sort of like the labor movement.

*An earlier version of this article was published on CounterPunch.org.*

A FILM BY ANA NOGUEIRA & EBON DAVIDSON NARRATED BY ALICE WALKER

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# Ed Koch's Legacy

By STEVEN WISHNIA

As former Mayor Edward I. Koch lay dying in Columbia-Presbyterian Hospital on the night of Jan. 31, I was riding an uptown 1 train toward Washington Heights. The florid graffiti that used to decorate or defile the subway, the STITCH I, STAY HIGH 149, DONDI, and LADY PINK tags and spray-painted murals, were long gone. In their place were ads for Microsoft Windows 8. The fare was about to rise to \$2.50, five times what it was when Koch took office 35 years ago.

That symbolizes Koch's legacy. As mayor, he began the transformation of New York City from the vibrant, crime-ridden squalor of the 1970s to the plutocrat's paradise of today. That made it a safer and richer city, but excluded most of its people and starved its cultural life. To those who loved him, he was a feisty loudmouth, the epitome of the no-nonsense New Yorker. To those who despised him, he was a blustering bully who dismissed anyone who disagreed with him as a "wacko."

Koch began his political career as a Greenwich Village liberal, an early supporter of abortion rights and a congressman who opposed the Vietnam War. He moved hard to the right in the early 1970s, however — partly, like many New York Jews of the era, from a mix of Zionist nationalism and a racism-refracted reaction to muggings and the black anti-Semitism unleashed during the bitter 1968 teachers' strike, and partly from opportunism, to win white-backlash voters in Queens.

By the time he ran for mayor in 1977, he was greeting voters with "Hi, I'm for capital punishment. Are you?" The *New York Post*, recently taken over by right-wing magnate Rupert Murdoch, devoted its news pages to campaigning for him. Its headline on primary day was "VOTE TODAY—VOTE FOR KOCH." With black, Jewish-feminist, and Puerto Rican candidates splitting the liberal vote, Koch led a seven-way Democratic primary and beat future governor Mario Cuomo in the runoff.

## UNLIKELY COALITION

As mayor, wrote former *Village Voice* reporters Jack Newfield and Wayne Barrett, he "fashioned a governing coalition of real estate, finance, the Democratic party machine, the media, and recipients of city contracts," with outer-borough whites his electoral base. Wall Street boomed, especially after Ronald Reagan became President in 1981, and yuppies began to gentrify neighborhoods like the East Village and Park Slope. Multimillionaire bond traders rode in stretch limos and styled themselves "masters of the universe."

The rest of the city wasn't doing so well, whipsawed between the Reaganomic and street-thug iterations of greed. The anthem of summer 1982 was Grandmaster Flash and the Furious Five's "The Message," with

its chorus of, "It's like a jungle sometimes, it makes me wonder how I keep from going under." On the Lower East Side's Avenue B and scores of other blocks, there were more places to cop heroin than to buy milk.

Hundreds of buildings were abandoned. From 1970 to 1984, the city lost 300,000 apartments, one-seventh of its rental housing stock. Rents were doubling and tripling; apartments that had been \$150 a month in 1977 cost \$600 less than a decade later. Marvin Markus, whom Koch picked to chair the city Rent Guidelines Board, earned the nickname "Marvin Markup" for setting increases as high as 11 percent a year for rent-stabilized apartments. The number of homeless people, estimated at barely 2,000 in the 1970s, exploded, with more than 20,000 a night staying in city shelters by 1985. When impoverished families were evicted, the city paid \$3,000 a month to house them in crack-infested hotels.

Koch's response to those who couldn't afford Manhattan's rents was, "There are other boroughs."

He eventually recouped the buildings lost with a massive renovation program, but it came at a price. Reagan, whom Koch all but openly endorsed for President in 1980, cut off federal funds for constructing new housing, forcing the city to finance renovating abandoned buildings through tax breaks and public-private partnerships. Many became "80/20 housing": 80 percent luxury apartments, the rents of which were supposed to subsidize the 20 percent that were "affordable."

In one of his last interviews, Koch repeated the "if you can't pay the rent, you move" line. Poor people "can live in the low-income projects," he told the *Wall Street Journal*. But no new public housing has been built since the '80s. The city Housing Authority now has more than 160,000 families and individuals on the waiting list for its approximately 180,000 apartments.

## RACIAL TENSIONS

Race, poverty, and crime were inextricably intertwined. Reagan gained political capital by cutting programs perceived as aiding black and brown people; Koch earned his as someone who would "talk back to the blacks." Although he wasn't as blatant as Rudolph Giuliani, privately he used the Yiddish epithet "schvartzes." Black New Yorkers generally detested him, especially



GABRIELLA SZPUNT

Queens committed suicide. The Democratic county leader in Brooklyn was convicted of felonies in an unrelated case.

after he closed Harlem's Sydenham Hospital in 1980. That loathing, sometimes expressed with anti-Semitism and homophobia, was probably the main reason he lost his bid for a fourth term, defeated by black candidate David Dinkins in the 1989 Democratic primary. The primary came three weeks after the murder of 16-year-old Yusuf Hawkins, who'd gone to the then-Italian turf of Bensonhurst to buy a used car and got jumped by a pack of white youths, a bat-wielding posse organized by a 19-year-old gunning for his ex's new black boyfriend. It capped the decade's litany of racially charged killings by white mobs or police.

The Koch era also saw the beginning of the AIDS epidemic, with the gay communities of New York and San Francisco its first epicenters. Although Koch was widely believed to be gay, his administration did far less than San Francisco's, ignoring the issue at first and refusing for years to spend money on clinics, home care, or hospices. As late as 1985, when more than 3,000 New Yorkers had been diagnosed with AIDS and no medicines had yet been developed, the city health commissioner was insisting that it was not "a crisis."

Though Koch claimed to be a reformer, he cut deals with Democratic machine bosses, giving them control over who got certain city jobs and contracts in exchange for their support. The result was a series of scandals that erupted in 1986. The most notorious was a scam to sell the city bogus parking-ticket computers; the boss of the Bronx went to jail, and the borough president of

## PARADISE OF THE RICH

Koch wasn't personally on the take, but his mayoralty began the transformation to a different style of corruption, one far more profound than bookies bribing the cops to look the other way or middle-management politicians raking off their cut. The new style involved the city government working primarily to help the rich get richer, to create a "world-class city" for the 1 percent to live and do business in. That was Koch's accomplishment, what people mean when they say he "saved" New York and "brought it back." He started the change from a city where you'd occasionally get mugged for \$20 by a junkie or stickup kid to one where you get mugged every month for \$2,000 by your landlord — never mind that before the 1970s, New York was a place of strong labor unions, rent control, and free tuition at City University.

Under Michael Bloomberg, this is official ideology. On Manhattan's far West Side, bus service on Ninth and Tenth Avenues gets slashed, while the city and the Metropolitan Transportation Authority spend more than \$2 billion extending the 7 line by one stop to facilitate luxury highrises built by politically connected developers.

Koch's best legacy is perhaps the "pooper-scooper" law, which required people to pick up their dogs' excrement. Enacted in 1978, it was the first such law in the nation — and it left the city's streets noticeably cleaner.



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6 FEBRUARY 20 – MARCH 19, 2013 THE INDYPENDENT

FIRST PERSON

# How Roe v. Wade Changed My Life

## LOOKING BACK ON A LANDMARK LEGAL DECISION 40 YEARS LATER

BY ANN SCHNEIDER

I take pride in standing up to bullies, especially landlords. I’ve made a career of fighting for justice for the underdog. I’ve always known I wanted to be a lawyer since my youngest days growing up in Sun Prairie, Wisconsin (population 13,000). But with seven siblings and parents who had to quit school to work on the farm, there was no imagining that any of us would go to college.

Two of my brothers did, and had to work full-time and take breaks between semesters to save up money, and battle serious illness without health insurance. Accepting financial aid did not fit with the family’s sense of rugged self-reliance. My mother’s response to all of my teenage desires and ambitions was, “Find a good man and get married.”

Graduating high school, I was surprised to receive a \$300 scholarship from the Business and Professional Women’s Club. That took this nascent feminist as far as a fashion merchandising class at Madison Area Technical College, and there, I learned about financial aid. The lesson came from a slightly lecherous counselor who put his arm around me and said, “There’s no reason you can’t be a lawyer if you really want to.” Still, when I later took out loans out to enter law school, my non-college siblings derided me as a “professional student.”

But the door was opened to me. I enrolled in political science at MATC and was turned on to Saul Alinsky’s Rules for Radicals. Alinsky spoke more truth in a paragraph than I’d gained during 12 years of attending Catholic Church and being told to turn the other cheek. I ate up his advice for how to change the world. I knew from observing the Vietnam War and Watergate that there was no justice except that which one could bring about oneself.

Transferring to the University of Wisconsin-Madison to study history, Black history and women’s studies, I was in heaven. And after graduating, I became pregnant. This was 1982, less than a decade after the Supreme Court’s landmark decision in *Roe v. Wade* legalized abortion. My best friend drove me 70 miles to Milwaukee to obtain an abortion through Planned Parenthood. Back in Madison, there were no jobs, even for college grads as the nation was in the middle of a deep recession. The welfare department was only too glad to give me a free, one-way bus ticket to New York City. I had to find a job immediately, and then an apartment; hard enough for a 23-year-old but how much more difficult if I’d had to drag along a child! To earn money, I worked for eight months before law school began, as a receptionist for an air conditioning company, commuting from my shared apartment in Sunset Park, Brooklyn.

Law school required 10 hours of classes and study every day. Plus, I wanted to be involved with the community where I lived



LYNNE FOSTER

in Newark, NJ portions of which were contaminated by Agent Orange which had been manufactured there. I did work-study but needed student loans to pay for tuition, food and rent. In truth, I could have worked full-time and gone to law school at night for four years instead of finishing in three, but it would have been involuntary servitude to have to provide for an unwanted child, all the more so as the father was homeless at this time.

I’ve never had regrets about my abortion. Feminism took me from being a very depressed teenager who believed what the mean boys said to me – that I was ugly and no one would ever love me – and opened new possibilities for me to leave the tradi-

tion-bound world I grew up in and pursue my life’s dreams. When those dreams were almost snuffed out, *Roe v. Wade* allowed me to remain the master of my own destiny. The right to control one’s own body that we gained 40 years ago this January was won through generations of struggle by women who made it possible for me to become who I am today: a sexually and professionally satisfied radical lawyer!

*Ann Schneider serves on the executive committee of the NYC chapter of the National Lawyers Guild ([nycnlg.org](http://nycnlg.org)). She has been the author of “The People’s Lawyer” column for The Independent since 2003.*



# Free Speech Fracas



RABIA AHSINTARAR

**CAN'T BE SILENCED:** A Brooklyn College student speaks during the Feb. 7 panel discussion on the Boycott, Divestment and Sanctions movement that was held at her school.

BY ALEX KANE

“Anti-Israel hatefest,” said Harvard lawyer Alan Dershowitz.

A “kill-Israel frolic,” screamed the *New York Post*’s Andrea Peyser.

“The potential for a second Holocaust,” warned Brooklyn assemblyman Alan Maisel.

When the Israel discourse enforcers fired the opening salvo against Brooklyn College in advance of a Feb. 7 panel discussion on the Boycott, Divestment and Sanctions (BDS) movement against the Israeli occupation, there was a distinct feeling of déjà vu. It was the third time in less than two years that the City University of New York (CUNY), of which Brooklyn College is a part, has been attacked for engaging with real or imagined critics of Israel.

In May 2011, the CUNY Board of Trustees voted to deny Pulitzer Prize-winning playwright Tony Kushner an honorary degree due to his past criticism of the Israeli occupation. The board reversed its decision a week later after coming under fierce criticism. Last year, Brooklyn College Provost William Tramon-tono yanked the departmental appointment of CUNY graduate student Kristofer Petersen-Overton to teach a seminar on Middle East politics when a student complained about the syllabus to a local politician. An outpouring of protest forced Tramon-tono to return Petersen-Overton to his class.

The BDS movement seeks to rally international opposition to Israeli policies and settlements. The attacks against the Feb. 7 forum, which featured two leading BDS proponents and was sponsored by the Political Science Department, escalated when a gaggle of local elected officials signed a letter calling on the school not to associate itself with the event. Among their ranks were the four leading Democratic candidates for Mayor as well as a number of “progressives” on the City Council.

A second letter penned by City Council Assistant Majority Leader Lewis Fidler threatened to cut funding for CUNY and Brooklyn College if the school did not cancel the event or withdraw its sponsorship.

“This entire controversy has only one ‘principle’ and one purpose: to threaten, intimidate and bully professors, school administrators and academic institutions out of any involvement in criticisms of Israel,” wrote *Guardian* (UK) columnist Glenn Greenwald.

As it turned out, Israel backers had over-

reached, and their campaign failed miserably.

Backers of academic freedom at CUNY were prepared for the onslaught after the Kushner and Petersen-Overton cases and used their social media networks to mobilize support for their cause.

This time Brooklyn College President Karen Gould remained steadfast from the beginning in defending the right of the Political Science Department and student groups to hold an event of their choosing to discuss the BDS movement. CUNY Chancellor Matthew Goldstein, who was missing in action when the CUNY board pilloried Kushner, backed Gould with a strong statement of support for academic freedom. And Mayor Michael Bloomberg delivered the final blow, saying, “If you want to go to a university where the government decides what kind of subjects are fit for discussion, I suggest you apply to a school in North Korea.”

Before it was over, many of the elected officials who had threatened to punish CUNY disavowed their words and promised that they too supported academic freedom.

Why do these campaigns keep happening?

The most salient reason is that criticism of Israel is slowly creeping into the mainstream — the Jewish state’s systematic denial of Palestinian rights and its belligerent policies toward its neighbors make this inevitable. BDS, a nonviolent movement initiated by Palestinian civil society in 2005, has been gradually able to capitalize on dismay with Israel and build a following on college campuses — the most recent one being University of California, Irvine, where the student government passed a resolution calling for divestment from companies that provide the Israeli military and state with crucial components to maintain their hold over Palestinians.

Unable to defend an apartheid state on its own merits, many of Israel’s backers choose to double down on an “Israel right or wrong” version of the world, insisting that critics be denied a public hearing and the respectability that comes with it. Hence the knee-jerk reactions — they hate Israel; they’re anti-Semitic; they support terrorism; it’s hate speech — and the assault on the university as an open space for debating controversial issues.

It’s self-defeating behavior that damages the perpetrators more than their intended targets. But with growing support for BDS, we’re likely to see more of this at CUNY and beyond.



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# Seattle Teachers Deliver a Powerful Lesson

## TEST BOYCOTT CALLED 'DEFINING MOMENT'

BY SARAH JAFFE

On Jan. 10 the staff of Garfield High School voted unanimously to refuse to administer the Measures of Academic Progress (MAP) test to their ninth-grade students. They've held firm since, even as the superintendent of schools has threatened them with a 10-day unpaid suspension. Meanwhile, teachers at other Seattle-area schools have joined their boycott.

"Garfield has a long tradition of cultivating abstract thinking, lyrical innovation, trenchant debate, civic leadership, moral courage and myriad other qualities for which our society is desperate, yet which cannot be measured, or inspired by bubbling answer choice 'E,'" wrote Garfield history teacher Jesse Hagopian in a *Seattle Times* op-ed.

Garfield's Parent-Teacher-Student Association and student government are both backing the teachers, and the teachers' union, the Seattle Education Association (an affiliate of the National Education Association), has been holding phone banks and rallies in support. NEA president Dennis van Roekel called the teachers' stand a "defining moment within the education profession."

As the boycott has become national news, it has attracted support around the country. A letter in solidarity with the Garfield teachers has been signed by close to 5,000 educators, authors and activists, including former U.S. Assistant Secretary of Education Diane Ravitch; Chicago Teachers Union President Karen Lewis; Jonathan Kozol, author of *Savage Inequalities*; Deborah Meier of the Coalition of Essential Schools; Pedro Noguera, professor of education at New York University and more than a dozen faculty members at the City University of New York. During a "national day of action" on Feb. 6, events were held in cities including Los Angeles, Chicago, Portland, OR, Berkeley, CA and Rochester, NY.

### FIRM STAND

The Seattle teachers' firm stand has been "amazing," said Jean Anyon, professor of social and educational policy at the CUNY Graduate Center. "There have been very few groups that have decided to defy these tests," she pointed out. "In terms of an outright boycott by a[n] entire school, if it's not the first, it's close to it."

The MAP test was acquired for about \$4 million by former Seattle schools superintendent Maria Goodloe-Johnson while she was on the board of the company that sells it; a state audit in 2011 found that she committed a serious ethics violation by failing to disclose this fact. Ninth and tenth graders in Seattle already take five additional tests required by the state, and eleventh and twelfth graders take three. The MAP is not required by the state and doesn't affect students' grades — but it is used to evaluate teachers, who point out that many students do not take the test seriously.

even faked results. Yet these tests are used to judge what students know and how well teachers are doing their job."

### RISING CONCERNS

"All over the country, parents, teachers, superintendents, lawyers and university folks have been signing petitions and publishing articles about the grotesque misuse of high-stakes testing," said Michelle Fine, distinguished professor of psychology and urban education at the Graduate Center. But those protests have gained little traction, she added — in part because the Obama administration

"has really endorsed the overuse of high-stakes testing on students, on teachers and on schools."

Teachers' opposition to the resulting distortions of education has been on the rise, and misuse of testing was a central issue in the Chicago Teachers Union strike last fall.

Seattle's dissident teachers originally received a Feb. 22 deadline to administer the MAP or face a 10-day suspension without pay. Seattle schools superintendent Jose Banda withdrew that threat on Feb. 4 but then ordered Garfield administrators to administer the test the following day. A contributor to the [scrappthemap.wordpress.com](http://scrappthemap.wordpress.com) website described the scene:

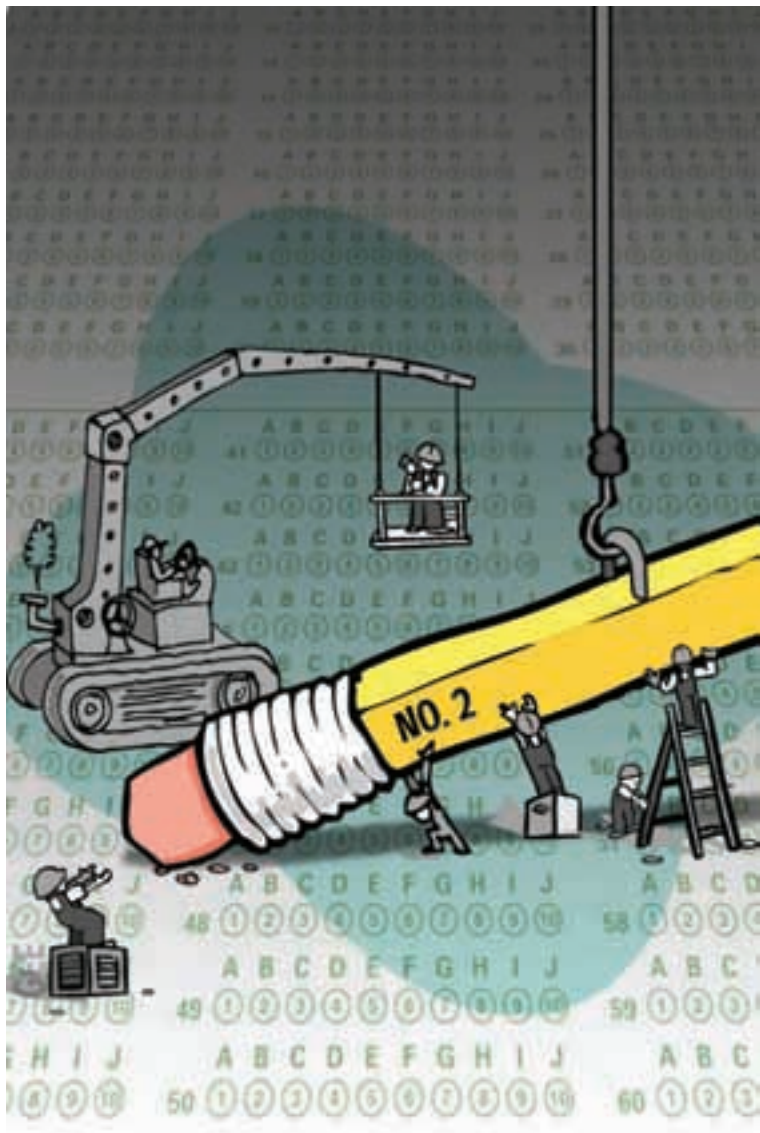
"Admins came into classrooms and tried to pull students out to take the MAP test in the library. Students stared straight ahead, and wouldn't budge."

"In a library with about 60 computer stations set up for the MAP, there were single digit numbers of students sitting at computers. Of those, many sat at the computers and refused to press even a single button."

Banda has also announced that he'll organize a task force to investigate possible alternatives to the testing regime and the MAP in particular, but the teachers are refusing to back down. Ravitch and other supporters have vowed to raise money for them if they are suspended.

"We know that high-stakes tests are being used to redline the poor and working class out of access to a quality education, and are used to get rid of teachers" in ways that are hard to justify, said Fine.

*An earlier version of this article appeared in Clarion, the newspaper of the Professional Staff Congress/CUNY, the union local that represents faculty and staff at the City University of New York.*



GARY MARTIN

Additionally, the MAP is a computer-adaptive test, which means that if the student gets a question wrong, the next one is easier; if she gets an answer right, the next one is harder. "Students who are...sick of assessments find out quickly that if they choose random answers, the questions get easier," writes assessment expert Jem Muldoon.

Ira Shor, a professor of English at the CUNY Graduate Center who writes on composition theory and urban education, said that many tests used in K-12 assessment "produce unreliable, unreproducible and

# NYC Parent: LISTEN TO OUR VOICES

BY JANINE SOPP

As a parent of a child in a New York City public school, I had no idea my 7-year-old daughter would be subjected to high stakes standardized testing. After Kya came home in a panic after being informed about "The Test," I immediately confronted her teacher and asked how and why my daughter was even remotely aware of this unreliable test. I was told this was a way to begin to prepare second graders for what they would face in third grade. What they would face? I asked. Why was her education being treated like a sentence with consequences for being a child in public school?

This was the beginning of my activism as a public school parent.

Later that year, in the spring of 2011, I helped lead parent opposition at my daughter's school to Mayor Michael Bloomberg's threats to implement budget cuts that would cause the layoffs of thousands of teachers citywide. All the parents I spoke with agreed this was a damaging proposal. Over time we began to understand how budget cuts, high stakes testing, Annual Yearly Progress reports that slap a grade on our schools, school closures and charter school co-locations inside public school buildings were all part of an accelerating drive by corporate elites to dismantle and privatize public education.

### SCANDALOUS

The amount of time and money spent on test prep while average class sizes grow and classroom resources dwindle is scandalous. During third grade parent orientation, there was mention of a "test prep class" on Friday mornings which sent me into a rage. With budget cuts forcing us to lose teachers across the city, limited amounts of the arts, sciences and gym, the loss of the library and the constant PTA fundraising for anything that would enrich the curriculum, why would we dedicate an entire period each week over the next eight months to test prep?

The thought of my dyslexia-diagnosed daughter sitting through an annual battery of tests that lasts for six days made me squirm with unease. I knew how she was doing in school. Every teacher she had was able to assess her strengths and weaknesses and was more than happy to discuss ways to take on the challenges she was facing. So why should I place her in a situation that I felt was not healthy or supportive of her education?

During the second month of third grade, Kya transferred to a more progressive public school — one that did not "teach to the test" but focused on teaching to the whole child. Kya's self confidence soared; her daily sharing was alive with enthusiasm and her desire to go back for more each day was delightful. She grew both intellectually and socially,

*Continued on page 12*



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# RED, WHITE & BANG

## WE NEED STRICTER FIREARMS LAWS AND MUCH, MUCH MORE

BY NICHOLAS POWERS

“I was shot six times,” he said and rolled up his sleeve. When Frankie peeled back the gauze, I saw holes in his forearm as if he had been stung by a giant metal insect. “What the hell,” I muttered, “What happened?”

“Kid from Brownsville running down the street, shooting wildly at another kid,” he looked at me. “I was in the doorway and got hit. None of the bullets struck an artery or a bone. Someone was looking out for me.”

Thoughts spun like a tornado. Just a minute ago, I was jogging down the street to catch the presidential debate at Vodou Lounge when my name was yelled. In a parked jeep, a light came on and I saw Frankie, my scruffy neighbor. He told me of being on the stoop when a boy ran up, firing his gun at any moving thing, how bullets punched his body, how he prayed for life as blood gushed from his limbs.

Frankie rolled up his pant leg and showed me a crusted hole in his calf. I grasped his hands and said, “I am so thankful you are alive.” We knew people had been shot on our block but in order to go about living, we numbed our minds to the risks. And it wasn’t hard. The young men killing each other were locked in their own world — you just had to step around it. But every once in a while, a gunman shot so wildly, so carelessly that a shell pierced the invisible walls between us and them. Studying Frankie’s face, I remembered kicking a soccer ball with him and loosening the fire hydrant so kids could splash in the water. We stared at each other as I repeated, “I am so thankful you are alive.”

### THE POLITICAL ECONOMY OF INNOCENCE

Last Dec. 14, Adam Laza stormed an elementary school in Newtown, Conn. and shot 20 children and six adults. Screams echoed in the hallways and throughout the nation as news of the killings rippled through the media. We have another mass shooting, another gunman.

But on the day before the killings in Newtown, as well as every day for the foreseeable future, nearly 85 Americans die from gun-related incidents. Of those 85 people, 53 take their own lives and 16 are homicide victims, between the ages of 15 and 24. In 2010, the annual number of Americans killed by guns hit 31,328. The rising numbers are like a heart monitor gone awry — the quotidian carnage is signified by a dark, steady pulse, while mass shootings are the visible spikes. This patient is sick, but we aren’t listening to the true diagnosis.

These mass shooting escapades break through the fog of American denial because they are performed acts of violence, designed by the killer for an audience. Sometimes the gunman (and it’s always, so far, a man) makes videos or writes a manifesto, as in the Virginia Tech massacre or Columbine. At the very least, murdering random people in public turns the blood-soaked ground into a stage for the killer to be seen. And it trains

the audience to read gun violence along two scales — carnage and innocence.

The bodies carried out on stretchers stop our breath. A killer who leaves numerous dead in his wake forces us to sense the purity of his rage. He forces us to question the technology used to enact it. The carnage of mass shooting is a glimpse into how vulnerable we are to the random hate of a stranger.

And if the faces on the stretchers are budding youth or the vulnerable old, if their deaths stained red a white wedding or emptied a prom night, we feel that not just life was lost — innocence itself was desecrated. Public mourning is not just empathy but also a ritual to reaffirm our ideology. The mass shootings in the Aurora cinema and then at the Sikh Temple in suburban Milwaukee rattled us, but it was the murder of children that made it possible to finally talk about gun control. Now we are unwilling to tolerate public gun violence after accepting it for so long in marginal groups — the poor, Latinos, African-Americans, new immigrants, urban youth.

A political economy of innocence exists in our nation’s media, in which the value of groups is produced, distributed and consumed. The race, class and gender of the victims are raw material added to the specific crime and made into an implicit scale of human worth. CNN, the *New York Times* and Fox News showed photos of the Newtown dead, creating empathic narratives. Millions of Americans mourned with the parents who lost their children, as we must, as befits a decent human being. But beneath tragedies like Newtown are the 85 people who die every day from a bullet. Many of the victims are urban youth, mostly black or Latino, whose deaths seep under the headlines like an invisible river of sorrow.

### THE SETTLER VS. THE SAVAGE

“Imagine your child screaming when a convicted felon breaks into your home,” the gravelly voice warns as a parent sprints through halls. “And you use a firearm to defend yourself and your family,” he growls. “Unbelievably, Barack Obama voted to make you the criminal.” It was a National Rifle Association (NRA) political ad, re-leased in October 2008.

After the confetti from election night was swept up, news outlets reported that two things happened for male Republican voters — testosterone dropped and gun sales went up. This fear is more than 500 years old.

When Christopher Columbus waded to the shoreline of the New World, he was met by native people of whom later he wrote, “I could conquer them with 50 men and govern as I please.” Thousands of ships filled with settlers followed in his wake. They pushed further inland, raping, mass murdering, stealing, displacing, and each act of violence solidified their role as settlers who killed

savages. In the haze of musket smoke, the silhouettes of men marched over the blood of natives.

After independence, our nation began a grinding conquest of the continent. At each step the gun was at hand. Whether it was the pistol in the belt of the slave owner or the settler’s rifle aimed at a native family leaving a

home in flames, the gun was the symbol of a freedom won by violence. In the painting *Westward Angel* we see Manifest Destiny portrayed as an angel. It’s easy to imagine her hem passing over the corpses of indigenous people.

It is the violence between the settler and the savage that has formed the political ideology of our nation. The white, Christian male and his family founded a nation in the wilderness, away from the corruption of the Old World. The price of freedom was eternal vigilance at the walls. Outside the gates the ape-like slaves, wild savages and foreigners were amassing. The gun had to be near, loaded and ready.

It is this politico-mythic narrative that guides conservatives. Each time white supremacy has been challenged, a call to arms has been issued. After the Civil War, a brief season of civil liberties for black people followed, which was then shot down by white militias like the Ku Klux Klan. In the early 1900s nearly two million black people left the South in a Great Migration and were met by white mobs shooting, lynching and bombing them in the urban North. In the civil rights era, white gunmen killed activists. After World War II, cities became racially diverse just as the business class began to shut down factories in the name of globalization. Urban neighborhoods became poor and desperate; by the 1970s, the Republican Party used code words of crime and welfare to address white racial anxiety. Suburbs grew like pale rings of fear from the dark downtown. It is in this context that the Second Amendment, “the right to bear arms,” became a justification to defend oneself against the specter of crime, a specter that itself was

already a fictionalized racial terror.

Today the conservative sector of the shrinking white majority is terrified, stranded as they are in the colonial mythology of settler versus savage. They saw a rising tide of color elect the first black president and see Obama as part of a New World Order. It is believed to be a U.N.-led global cabal intent on using gun registries, background checks and bans on assault weapons to strip these Sov-

man Wayne Lapierre, “I run into some of our NRA members and they say...we need the firepower and the ability to protect ourselves from our government.” Lapierre leaned back, then leaned in, “If you look at why our Founding Fathers put it there, they had lived under the tyranny of King George and they wanted to make sure these free people, in this new

country would never have to be subjugated again.”

### THE BLACKENED BODY

“I come from Bed-Stuy where niggaz either do or they gone die, gotta keep the Ratchett close by,” Lil’ Kim rapped from the car speakers. I laughed at the lyrics as my friend reached over and turned it up. After being dropped off in Bed-Stuy, I got out and looked at my street with Lil’ Kim’s voice in my head. It struck me that she, like many rappers, sells urban violence to America which then learns to see people of color in pain as normal.

An iconography of crime surrounds the blackened body, if one could peel the Hip Hop imagery of today — the Gangster, Video Vixen and Hype Man — you can see earlier versions of them in post-Civil War imagery of the Brute, the Jezebel and the Coon. It’s the visual vocabulary of the political economy of guilt, in which imagery of black criminality is produced, distributed and consumed.

The caricature most related to crime is of course the Black Brute, a hulking rapist, an enraged animal on the loose. After the Civil War, in the era of Reconstruction, new images of blacks were created by Southern whites to express their fear. And the Black Brute was the epitome of the savage. It is what George Zimmerman, a watchman for a gated community in central Florida, saw instead of Trayvon Martin, a black teen visiting his family and it is what Zimmerman aimed his gun at when he shot the young man dead.

Zimmerman had a settler mindset and a firearm, and he was shielded by a legal

tradition called the Castle Doctrine, which posits that you can defend your home with deadly force. “Stand your ground” laws extend “home” to wherever one is legally allowed to stand. It was part of a network of legislation, including immunity for gun manufacturers that was pushed by the NRA into law. Not surprisingly, the gun industry, which made \$11 billion dollars in profit in 2011, donated at least \$15 million dollars to the NRA since 2005. The bare facts are that the industry that profits from gun sales, in part funds a four million member-strong NRA which spends millions in elections on politicians who will pass laws beneficial to the gun industry. And we already have in this nation nearly 300 million guns for 310 million citizens.

In 2011 alone, gun makers churned out six million new firearms. These guns hit the market and are spread out on gun show tables, where thousands fall through the shredded net of gun control laws into the black market which transports them into black neighborhoods. NYPD Commissioner Ray Kelly said on *The Daily Show*, “It’s a concealable handgun that is killing people. Assault weapons, I think should be banned. But they are responsible for

less than 2 percent of shootings in this city. Ninety percent of the guns that we confiscate here come from other states. We say the iron pipeline up I-95, Southern states for the most part.”

And I see those guns. One night I heard some neighbors fighting and then gunshots, I looked through the window and saw a man entering his building with a long pistol. Four years ago, I was at the block party when a kid with a gun fired into the air, scattering everyone behind trees and running into buildings.

Recently I saw a documentary, *Bullets in the Hood: A Bed-Stuy Story*, in which then 19-year-old director Terrence Fisher interviewed his friends about guns. One hauled a shotgun from under his mattress and boasted of paralyzing a “dumb-ass” man. Another held a small gun in his palm and warned, “See this .22, can’t get no better than that.” He wiped it with an American flag bandana.

Fisher asked how they felt with the weapon; one friend said, “Any man with a gun in his hand feels bigger than the world. A gun will make a man do anything.” Later Fisher remembered, “My homeboy Marley G had an incident in a club. Dude had bumped Marley G. who bumped another dude, who got offended and pulled out his gun and shot him in his chest twice.” In the stairwell, Fisher’s friend said guns weren’t good but you couldn’t get caught without one in a fight. “In the hood you gotta have one to survive,” he said and shrugged.

Three months into filming, Fisher was walking to the roof with his friend Timothy Stansbury when Stansbury opened the door and was shot dead by a scared cop. The officer was never charged with a crime and the people swallowed their grief. At the film’s

end, Fisher looked into the camera and said, “I’m 19 and I know eight people who’ve been killed by guns.”

Fisher lives in the Louis Armstrong projects that ring my block. From my roof, I can see the roof where Stansbury was shot. His death, like the police killings of Sean Bell or Ramarley Graham, gave a halo of innocence to young men of color. Thousands marched in their names to salvage a guiltlessness that has long been denied. And we, the left, marched with them, because in our Rousseauian worldview the state — in this case, personified by a cop — was the enemy of the people. But the reality is that more black and Latino, poor and immigrant male youth are killed by each other than by cops.

### VIOLENCE AND FREEDOM

Ever since Frederick Douglass wrote of fighting the slave breaker Covey there has existed in black male culture a tradition of seeing violence as a means of freedom. In the Ante-Bellum era, slaves rebelled 250 separate times, in incidents that ranged from skirmishes to all-out guerilla warfare. From Nat Turner to the Deacons for Defense, from Malcolm X to the Black Panthers, gun violence has been part of the black political tradition. But the goal of this violence was always the defense of the larger community against white supremacist attacks.

In the late 1970s the Black left collapsed in a cross-fire of rivalry, FBI sabotage and a changing economy. The black He-Man changed from Huey Newtown to Superfly, factories shut down, cities went bankrupt, cocaine fell on the street like a winter snow, and prisons became warehouses for an unemployed generation. The police used new tactics to round up young men en masse. They were processed like raw material through a factory of courts and jails and emerged on the other side, bleak-eyed and desperate. Street culture, always one sector among others now dominated the value system of poor young men of color.

The code of the street — the touchy need for respect, ignitable pride, the struggle for status in a world of scarcity, homophobic and sexist machismo and violence as an answer to questions — became a common language. And with each fistfight, stabbing and shooting, urban youth become more and more segregated. Inner city schools are closed, metal detectors installed in the ones still open, teachers are scared away and their future evaporates. The only thing they have left that anyone wants is the soundtrack of their self-destruction. So a minor music called Hip Hop, which began in the 1970s as black party music in the South Bronx was by the mid-1980s slowly being transformed by corporate America into the minstrel show of Gangsta Rap. The Brute and the Jezebel are reinvented and sold to a new audience. Three decades later, black, Latino and increasingly immigrant youth are measuring their racial identity by 150-year-old, post-Civil War Southern caricatures.

Oppression when internalized by its vic-



## Voices

*Continued from page 8*

and I watched her flourish as a human being. How she performed was not as important as how she experienced the information. I could see actual learning taking place because she was intrinsically involved with the process and not just learning how to take a test. This assessment of learning cannot be gathered on a bubble test or through a reading passage.

### ACT OF CONSCIENCE

Kya's school was still required to administer standardized Math and English Language Arts exams even if they did minimal test prep for them. I refused to have Kya participate in this and instead arranged with the school for her to have a portfolio review and a pair of 45-minute exams which would be used to assess her for promotion. We found a wonderful and enriching way for her to spend the testing hours in the school and she rejoined her class each day after the testing period, feeling a bit like a celebrity. She assisted in one of the kindergarten classrooms where her hands-on skills and desire to read aloud to the younger children proved to be a much more valuable experience. She did not come home feeling afraid or stressed and did not question her abilities or intelligence. We agreed that if these tests required an "Opt In" rather than an "Opt Out," a whole lot more children would have been with her during those six days of testing.

Now in fourth grade, Kya faces an ad-

ditional high stake as this year's test scores will be used to place children in the city's best middle schools. I plan to contact any of the schools we are considering applying to before the testing season to find out how they will handle her application if it does not include these scores. My hope is they would recognize the value of a portfolio review over the use of these tests, which would actually tell them much more about Kya's true qualities. It's a hard decision but when the tests are conducted in April she will likely sit them out as well.

The solution to the pervasive misuse of high stakes tests lies not just in individual acts of conscience but in the collective organizing and action of educators, parents and students. That is why there has been an outpouring of support for the Seattle teachers (see page 8) and why parent-led groups like Change the Stakes in New York and United Opt Out nationally have formed in the past few years to provide information and support for parents who wish to withdraw their children from high stakes standardized testing.

The corporate school "reformers" who have stoked the mania for high stakes standardized testing in the past decade have failed (and manipulated) us. In New York, where Mayor Bloomberg has been given dictatorial control over our school system since 2002, only 21 percent of high school

graduates are college ready, including only 13 percent of graduates of color, according to the City University of New York.

These self-styled reformers still have tremendous resources at their disposal. But now they are up against growing ranks of outraged parents. To turn the tide against high stakes standardized testing would save the millions of dollars handed over annually to test prep companies and reclaim the possibility of a curriculum that meets

the needs of the whole child. Instead of being test prep factories, our public schools can be places where we support the love of learning, socialize children and welcome differences as we prepare our children for ever-changing, expanding realities of life in a diverse and interconnected world.

*For more, see [changethestakes.wordpress.com](http://changethestakes.wordpress.com) or [unitedoptout.com](http://unitedoptout.com).*



SAKURA KELLEY

**SCHOOL BORED:** A parent activist leads a protest against the misuse of standardized tests at a meeting of New York City's school board, the majority of which is hand-picked by Mayor Michael Bloomberg.

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# The Data that Nourishes

BY BRIAN JONES

Data from high-stakes standardized tests is the lifeblood of corporate education reform. In the body, as blood flows to different organs, it brings essential, life-sustaining nourishment. So too does the flow of test data, which nourishes every aspect of the movement to privatize our public schools.

As all teaching and learning is increasingly measured by standardized tests, there must be more and more tests to generate data. This ever-expanding need for data sustains the profits of the companies that make the tests and the test preparation materials and analyze the results. Pearson, the largest publishing company in the world, has a five-year testing contract with New York that is worth \$32 million; its contract with Texas is worth nearly half a billion dollars. Between the demand for more tests stimulated by President Obama's Race to the Top program and the streamlining of test materials due to the implementation of the Common Core Standards nationwide, Pearson is likely to be the single greatest beneficiary of both changes.

The flow of data serves the attack on public schools by providing quantifiable "proof" that they are failing. The data thus facilitates the closing of public schools and, in many cases, their replacement with for-profit charter schools. In 2008, the publication of

emails between Joel Klein, then New York City Schools chancellor, and Eva Moskowitz, CEO of a charter-school chain, revealed that, in several instances, Klein decided to close specific public schools that Moskowitz was eyeing as potential new sites for charter schools. As charter schools gain "market share" in cities nationwide, the logic of competition forces all schools to act competitively — and test scores are increasingly the coin of that competition. With so much at stake, it was entirely predictable that corruption and cheating would follow.

## High-stakes standardized tests provide the life blood of corporate education reform.

Teachers' unions represent perhaps the single greatest obstacle to privatization. Privatization demands that unions' solidarity, job protections and influence over school governance be weakened, if not outright eliminated. Educational leaders at the highest levels have therefore made it a top priority to assign students' test scores high stakes — for teachers. Complex mathematical formulas promise to reveal the "value added" by an individual teacher to his or her students' standardized test scores. Doing so, privatization proponents hope, lays the ideological groundwork for weakening job protections

such as tenure and disrupts the premise of collective bargaining. The data stream also, by providing mathematical "proof" of bad teaching, nourishes the public relations campaign against teachers' unions.

Standardized testing also allows the privatization agenda to hide behind promises of racial justice. Ever since the No Child Left Behind legislation forced schools to disaggregate their test score data by race, the "reform" movement has equated rising test scores with racial justice. This is a highly ironic claim, given that standardized testing is rooted,

historically, in the eugenics movement — the attempt to generate scientific evidence that people of color were intellectually inferior. Today, standardized test scores persistently correlate with socioeconomic categories — especially race and income. The "miracle" schools reformers often highlight are not miracles; they either find a way to remove the neediest, lowest-scoring students or they raise test scores by extreme "drill and kill" methods — and in doing so deprive the neediest students of the opportunity for genuine intellectual development. In New Orleans, for example, where schools compete by test

scores in order to be allowed to exist, even those who favor privatization have admitted that the new system has recreated the old hierarchy of achievement and opportunity.

The movement against high-stakes testing has now moved into a direct-action phase: teachers and students in some areas, notably Garfield High School in Seattle, Wash. (see page 8), are refusing to administer or take high-stakes standardized tests. Cutting off this blood supply will directly endanger all of the organs of privatization at once. The profits of the testing companies will be threatened. The excuse for closing schools will be removed and the competition between schools diminished. The rationale for targeting individual teachers and weakening their union protections will no longer have the allure of scientific validity. Finally, as the movement raises calls for authentic assessments that are organically connected to real teaching and learning, we may actually see some justice — including racial justice — for the students who need it the most.

*Brian Jones has taught elementary grades in New York City's public schools for nine years, and is a member of the Movement of Rank and File Educators (the social justice caucus of the United Federation of Teachers).*



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Bang

Continued from page 11

tims for too long and too deeply eventually becomes their culture. So it struck me, on the night that Frankie told me about the shooting, that as I walked up Nostrand, I heard a group of young men around an open car rapping along with 50 Cent, “We rolling, whip stolen, AK loaded, I’m down to ride tonight. We smokin’, straight locin’, locked and loaded, somebody gon’ die tonight.”

I thought to myself, with all the guns and rage and nihilism here, you just might. And I thought, we on the left don’t address crime for what it is, a violent form of street-level capitalism. On the way to the bar, I kept seeing Frankie’s bullet wounds in my mind like a giant photograph. My friend almost died. He almost died. I kept repeating it.

And who was seeing the invisible victims of violence? Who was peering beneath the tragic headlines of mass shootings to see the cities being hollowed out by the multiplying voids of our dead teenagers? Who

was willing to speak about their deaths? Finally, I entered the Vodou Lounge and everyone was staring at the TV as President Obama and Mitt Romney debated. In the cross-fire of their words was a white college student named Jeremy. The candidates tripped over each other to promise him a job. Obama said, “And there are a bunch of things we can do to make sure your future is bright.”

How can an economic system make exchanging labor for money the way to meet basic needs and not provide full employment?

MELTING GUNS INTO SOLAR PANELS

The bar was nearly empty; I sat with a beer watching the State of the Union address. Obama tensed his mouth. “In the two months since Newtown, more than a thousand birthdays, graduations, anniversaries have been stolen from our lives by a bullet from a gun,” he said. “More than a thousand.”

The presidential election had come and gone, washing over us like a giant wave of

noise. And I was relieved Obama won. I didn’t share the view that a Romney victory would galvanize people into protesting. It was to me an admission of a lack of vision on the left, by those who see having a common enemy as the only thing that can move the masses. What about a common vision?

I looked out the window and imagined a neighborhood with midnight basket-

grinding in our world. We are surrounded by ads for a life we can’t afford and are told that no other world is possible. When can we get a federal buyback program that lets people sell their guns, while shutting down the gun factories and melting the steel into solar panels?

Obama squinted his eyes and talked of a young woman named Hadiya Peddleton. “Just three weeks ago, she was here, in Washington, with her classmates, performing for her country at my inauguration. And a week later, she was shot and killed in a Chicago park after school, just a mile away from my house.

He called for sensible reforms like a universal background check, a ban on assault weapons and laws to reduce the number of bullets in ammo cartridges. Yes, I nodded, all very sensible. He demanded the House and Senate allow for a vote as Mr. and Mrs. Peddleton stood and applauded. “They deserve a vote,” Obama lifted his voice in a rhythmic call. “They deserve a vote.”

Yes, I thought, we do deserve a vote but we need a whole lot more.

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# Privatizing Roads, Bridges, Schools and Energy Grids?

## OBAMA'S ONE-SIDED PARTNERSHIPS

**FIRESALE:** Under a plan proposed by President Obama, public infrastructure like the Brooklyn Bridge (above) could someday land in private hands.

BY LAURA GOTTESDIENER

The split screen during the State of the Union address was a nice touch. After all, what is more practical, more common sense — more bipartisan, perhaps — than charts? My favorite chart was the one illustrating wages versus corporate profits over time. Those two jagged lines — one shooting sky high over the last decade, the other plummeting steadily over the last forty years — are worth a thousand words, as the saying goes. Throughout the State of the Union, President Obama railed against the reality the chart revealed.

“Corporate profits have skyrocketed to all-time highs, but for more than a decade, wages and incomes have barely budged,” he boomed. “Today, a full-time worker making the minimum wage earns \$14,500 a year. Even with the tax relief we’ve put in place, a family with two kids that earns the minimum wage still lives below the poverty line. That’s wrong.”

Wrong, indeed. But on the issue of income inequality, the president’s rhetoric was right across the board — that is, until he actually began unfurling his Grand Plans. That’s when his typical double-speak kicked in.

He promised to curtail corporate profits, but his vision for a new, “high-tech” America seemed to entail turning everything from our highways to our public schools into corporate-owned, public-private partnerships.

Missed that part of the speech? Let’s take a closer look at his lofty language.

“Now at schools like P-TECH in Brooklyn, a collaboration between New York public schools and City University of New York and IBM, students will graduate with a high school diploma and an associate’s degree in computers or engineering. We need to give every American student opportunities like this,” he said.

“Tonight, I’m announcing a new challenge, to redesign America’s high schools so they better equip graduates for the demands of a high-tech economy. And we’ll reward schools that develop new partnerships with colleges and employers, and create classes that focus on science, technology, engineering and math, the skills today’s employers are looking for to fill the jobs that are there right now and will be there in the future.”

In other words, let’s stop teaching to the standardized test — let’s teach straight to IBM’s computer repair manual.

Obama’s proposed public-private partnerships went far beyond public school class-

rooms. They also included the country’s most essential infrastructure: roads, bridges, rails and even the energy grid.

As the president said, “Ask any CEO where they’d rather locate and hire, a country with deteriorating roads and bridges or one with high-speed rail and Internet, high-tech schools, self-healing power grids. The CEO of Siemens America — a company that brought hundreds of new jobs to North Carolina — has said that if we upgrade our infrastructure, they’ll bring even more jobs. And that’s the attitude of a lot of companies all around the world.”

Okay, so now we’re bribing the same corporations whose exploitative profits we’ve pledged to better control by giving the U.S. a makeover. But he went further:

“So, tonight, I propose a fix-it-first program to put people to work as soon as possible on our most urgent repairs, like the nearly 70,000 structurally deficient bridges across the country. And to make sure taxpayers don’t shoulder the whole burden, I’m also proposing a partnership to rebuild America that attracts private capital to upgrade what our businesses need most: modern ports to move our goods; modern pipelines to withstand a storm; modern schools worthy of our children,” he said.

Couched as a way to save taxpayers’ money, the president actually dangled a considerable carrot in front of corporations: construction grants and partial ownership of nearly all of the United States’ infrastructure.

Public-private partnerships are essentially a stepping stone to full privatization of our roads, bridges, railways, power grids and — yes — even our public schools.

The implications of this proposal are so scary that they even startled a Fox News reporter who commented, “It’s unnerving to hear the suggestion that the best way to guard against corporate excess is by crafting ever-closer public-private partnerships.”

As a concept, public-private partnerships can be considered a metaphor for any type of privatization: they sound smart in a capitalist society, but they’re never what they’re cracked up to be.

As a trio of smart economics professors, including one at Yale University, wrote in a paper on using these partnerships to revamp U.S. infrastructure, “Public-private partnerships are often touted as a “best-of-both-worlds” alternative to public provision and privatization. But in practice, they have been dogged by contract design problems, waste, and unrealistic expectations. Governments

sometimes opt for a public-private partnership, for example, because they mistakenly believe that it offers a way to finance infrastructure without adding to the public debt. In other cases, contract renegotiations have resulted in excessive costs for taxpayers or losses for private firms.”

A 30-year study of public-private partnerships in the UK concludes that the experiment’s track record has “led to an overhang of debt stretching some 30 years into the future and to constraints on the way public bodies are able to use their assets.”

On the issue of wages, which President Obama paid so much lip service to during his address, one of the biggest problems with public-private partnerships is that the work will be contracted to private companies rather than performed by unionized, public workers — a reality that will deal another blow to the dwindling power of unions and the public sector.

But an even graver problem is that pursuing public-private partnerships mirrors the financial impulse that got us into this deficit and recession mess in the first place: choosing short-term gains over long-term policies.

As a leader of the Service Employees International Union testified in a Senate committee hearing in 2006, “We believe governments that sign long-term concession agreements for essential infrastructure assets without retaining an ongoing interest in those assets [public-private partnerships] risk being perceived as the equivalent of the Native Americans who sold Manhattan Island to Peter Minuit for the equivalent of \$24 in beads and trinkets.”

The historical analogy is striking, while somewhat insensitive to the fact that European colonists would have taken Manhattan even if the Native Americans had not signed the land over in exchange for beads. Then again, if the people of the United States do not soon demonstrate an actual commitment to controlling corporate power, then these multinational corporations will indeed become even more powerful, gutting the people’s land and infrastructure and carrying the profits far away from U.S. soil into off-shore bank accounts.

In this light, public-private partnerships appear to be no more than the false treaties before the real battle. Surely those same treaties shouldn’t be the president’s domestic agenda.

*An earlier version of this article appeared on Alternet.org.*

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# A Presidential Decision That Could Change the World

## THE STRATEGIC IMPORTANCE OF THE KEystone XL PIPELINE

By MICHAEL T. KLARE

Presidential decisions often turn out to be far less significant than imagined, but every now and then what a president decides actually determines how the world turns. Such is the case with the Keystone XL pipeline, which, if built, is slated to bring some of the “dirtiest,” carbon-rich oil on the planet from Alberta, Canada, to refineries on the U.S. Gulf Coast. In the near future, President Obama is expected to give its construction a definitive thumbs up or thumbs down, and the decision he makes could prove far more important than anyone imagines. It could determine the fate of the Canadian tar-sands industry and, with it, the future well-being of the planet. If that sounds overly dramatic, let me explain.

Sometimes, what starts out as a minor skirmish can wind up determining the outcome of a war — and that seems to be the case when it comes to the mounting battle over the Keystone XL pipeline. If given the go-ahead by President Obama, it will daily carry more than 700,000 barrels of tar-sands oil to those Gulf Coast refineries, providing a desperately needed boost to the Canadian energy industry. If Obama says no, the Canadians (and their American backers) will encounter possibly insuperable difficulties in exporting their heavy crude oil, discouraging further investment and putting the industry’s future in doubt.

The battle over Keystone XL was initially joined in the summer of 2011, when environmental writer and climate activist Bill McKibben and 350.org, which he helped found, organized a series of non-violent anti-pipeline protests in front of the White House to highlight the links between tar sands production and the accelerating pace of climate change. At the same time, farmers and politicians in Nebraska, through which the pipeline is set to pass, expressed grave concern about its threat to that state’s crucial aquifers. After all, tar-sands crude is highly corrosive, and leaks are a notable risk.

In mid-January 2012, in response to those concerns, other worries about the pipeline, and perhaps a looming presidential campaign season, Obama postponed a decision on completing the controversial project. (He, not Congress, has the final say, since it will cross an international boundary.) Now, he must decide on a suggested new route that will, supposedly, take Keystone XL around those aquifers and so reduce the threat to Nebraska’s water supplies.

Ever since the president postponed the decision on whether to proceed, powerful forces in the energy industry and government have been mobilizing to press ever harder for its approval. Its supporters argue vociferously that the pipeline will bring jobs to America and enhance the nation’s “energy security” by lessening its reliance on Middle Eastern oil suppliers. Their true aim, however, is far simpler: to save the tar-sands industry (and many billions of dollars in U.S. investments) from possible disaster.

Just how critical the fight over Keystone has become in the eyes of the industry is suggested by a recent pro-pipeline editorial in the trade

publication *Oil & Gas Journal*:

“Controversy over the Keystone XL project leaves no room for compromise. Fundamental views about the future of energy are in conflict. Approval of the project would acknowledge the rich potential of the next generation of fossil energy and encourage its development. Rejection would foreclose much of that potential in deference to an energy utopia few Americans support when they learn how much it costs.”

Opponents of Keystone XL, who held a mass demonstration at the White House on Feb. 17, have also come to view the pipeline battle in epic terms. “Alberta’s tar sands are the continent’s biggest carbon bomb,” McKibben wrote at TomDispatch.com. “If you could burn all the oil in those tar sands, you’d run the atmosphere’s concentration of carbon dioxide from its current 390 parts per million (enough to cause the climate havoc we’re currently seeing) to nearly 600 parts per million, which would mean if not hell, then at least a world with a similar temperature.” Halting Keystone would not by itself prevent those high concentrations, he argued, but would impede the production of tar sands, stop that “carbon bomb” from further heating the atmosphere, and create space for a transition to renewables. “Stopping Keystone will buy time,” he says, “and hopefully that time will be used for the planet to come to its senses around climate change.”

**Canadian tar sands are a ‘carbon bomb’ that could cause planetary temperatures to soar in the coming decades.**

### VAST RESERVES

Why has the fight over a pipeline, which, if completed, would provide only 4 percent of the U.S. petroleum supply, assumed such strategic significance? As in any major conflict, the answer lies in three factors: logistics, geography, and timing.

Start with logistics and consider the tar sands themselves or, as the industry and its supporters in government prefer to call them, “oil sands.” Neither tar nor oil, the substance in question is a sludge-like mixture of sand, clay, water, and bitumen (a degraded, carbon-rich form of petroleum). Alberta has a colossal supply of the stuff — at least a trillion barrels in known reserves, or the equivalent of all the conventional oil burned by humans since the onset of commercial drilling in 1859. Even if you count only the reserves that are deemed extractable by existing technology, its tar sands reportedly are the equivalent of 170 billion barrels of conventional petroleum — more than the reserves of any nation except Saudi Arabia and Venezuela. The availability of so much untapped energy in a country like Canada, which is private-enterprise-friendly and where the political dangers are few, has been a magnet for major international energy firms. Not surprisingly, many of them, including ExxonMobil, Chevron, ConocoPhillips, and Royal Dutch Shell, have invested heavily in tar-sands operations.

Tar sands, however, bear little resemblance to the conventional oil fields which these companies have long exploited. They must be

treated in various energy-intensive ways to be converted into a transportable liquid and then processed even further into usable products. Some tar sands can be strip-mined like coal and then “upgraded” through chemical processing into a synthetic crude oil — SCO, or “syncrude.” Alternatively, the bitumen can be pumped from the ground after the sands are exposed to steam, which liquefies the bitumen and allows its extraction with conventional oil pumps. The latter process, known as steam-assisted gravity drainage (SAGD), produces a heavy crude oil. It must, in turn, be diluted with lighter crudes for transportation by pipeline to specialized refineries equipped to process such oil, most of which are located on the Gulf Coast.

Extracting and processing tar sands is an extraordinarily expensive undertaking, far more so than most conventional oil drilling operations. Considerable energy is needed to dig the sludge out of the ground or heat the water into steam for underground injection; then, additional energy is needed for the various upgrading processes. The environmental risks involved are enormous (even leaving aside the vast amounts of greenhouse gases that the whole process will pump into the atmosphere). The massive quantities of water needed for SAGD and those upgrading processes, for example, become contaminated with toxic substances. Once used, they cannot be returned to any water source that might end

up in human drinking supplies -- something environmentalists say is already occurring. All of this and the expenses involved mean that the multibillion-dollar investments needed to launch a tar-sands operation can only pay off if the final product fetches a healthy price in the marketplace.

And that’s where geography enters the picture. Alberta is theoretically capable of producing five to six million barrels of tar-sands oil per day. In 2011, however, Canada itself consumed only 2.3 million barrels of oil per day, much of it supplied by conventional (and cheaper) oil from fields in Saskatchewan and Newfoundland. That number is not expected to rise appreciably in the foreseeable future. No less significant, Canada’s refining capacity for all kinds of oil is limited to 1.9 million barrels per day, and few of its refineries are equipped to process tar sands-style heavy crude. This leaves the producers with one strategic option: exporting the stuff.

And that’s where the problems really begin. Alberta is an interior province and so cannot export its crude by sea. Given the geography, this leaves only three export options: pipelines heading east across Canada to ports on the Atlantic, pipelines heading west across the Rockies to ports in British Columbia, or pipelines heading south to refineries in the United States.

Alberta’s preferred option is to send the preponderance of its tar-sands oil to its biggest natural market, the United States. At present, Canadian pipeline companies do operate a

number of conduits that deliver some of this oil to the U.S., notably the original Keystone conduit extending from Hardisty, Alberta, to Illinois and then southward to Cushing, Oklahoma. But these lines can carry less than one million barrels of crude per day, and so will not permit the massive expansion of output the industry is planning for the next decade or so.

In other words, the only pipeline now under development that would significantly expand Albertan tar-sands exports is Keystone XL. It is vitally important to the tar-sands producers because it offers the sole short-term -- or possibly even long-term — option for the export and sale of the crude output now coming on line at dozens of projects being developed across northern Alberta. Without it, these projects will languish and Albertan production will have to be sold at a deep discount — at, that is, a per-barrel price that could fall below production costs, making further investment in tar sands unattractive. In January, Canadian tar-sands oil was already selling for \$30-\$40 less than West Texas Intermediate (WTI), the standard U.S. blend.

### LANDLOCKED

Like an army bottled up geographically and increasingly at the mercy of enemy forces, the tar-sands producers see the completion of Keystone XL as their sole realistic escape route to survival. “Our biggest problem is that Alberta is landlocked,” the province’s finance minister Doug Horner said in January. “In fact, of the world’s major oil-producing jurisdictions, Alberta is the only one with no direct access to the ocean. And until we solve this problem... the [price] differential will remain large.”

Logistics, geography, and finally timing. A presidential stamp of approval on the building of Keystone XL will save the tar-sands industry, ensuring them enough return to justify their massive investments. It would also undoubtedly prompt additional investments in tar-sands projects and further production increases by an industry that assumed opposition to future pipelines had been weakened by this victory.

A presidential thumbs-down and resulting failure to build Keystone XL, however, could have lasting and severe consequences for tar-sands production. After all, no other export link is likely to be completed in the near-term. The other three most widely discussed options — the Northern Gateway pipeline to Kitimat, British Columbia, an expansion of the existing Trans Mountain pipeline to Vancouver, British Columbia, and a plan to use existing, conventional-oil conduits to carry tar-sands oil across Quebec, Vermont, and New Hampshire to Portland, Maine — already face intense opposition, with initial construction at best still years in the future.

The Northern Gateway project, proposed by Canadian pipeline company Enbridge, would stretch from Bruderheim in northern Alberta to Kitimat, a port on Charlotte Sound and the Pacific. If completed, it would allow the export of tar-sands oil to Asia, where Canadian Prime Minister Stephen Harper sees a significant future market (even though few



Asian refineries could now process the stuff). But unlike oil-friendly Alberta, British Columbia has a strong pro-environmental bias and many senior provincial officials have expressed fierce opposition to the project. Moreover, under the country's constitution, native peoples over whose land the pipeline would have to travel must be consulted on the project — and most tribal communities are adamantly opposed to its construction.

Another proposed conduit — an expansion of the existing Trans Mountain pipeline from Edmonton to Vancouver — presents the same set of obstacles and, like the Northern Gateway project, has aroused strong opposition in Vancouver.

This leaves the third option, a plan to pump tar-sands oil to Ontario and Quebec and then employ an existing pipeline now used for oil imports. It connects to a terminal in Casco

Bay, near Portland, Maine, where the Albertan crude would begin the long trip by ship to those refineries on the Gulf Coast. Although no official action has yet been taken to allow the use of the U.S. conduit for this purpose, anti-pipeline protests have already erupted in Portland, including one on Jan. 26 that attracted more than 1,400 people.

With no other pipelines in the offing, tar sands producers are increasing their reliance on deliveries by rail. This is producing boom times for some long-haul freight carriers, but will never prove sufficient to move the millions of barrels in added daily output expected from projects now coming on line.

The conclusion is obvious: without Keystone XL, the price of tar-sands oil will remain substantially lower than conventional oil (as well as unconventional oil extracted from shale formations in the United States),

discouraging future investment and dimming the prospects for increased output. In other words, as Bill McKibben hopes, much of it will stay in the ground.

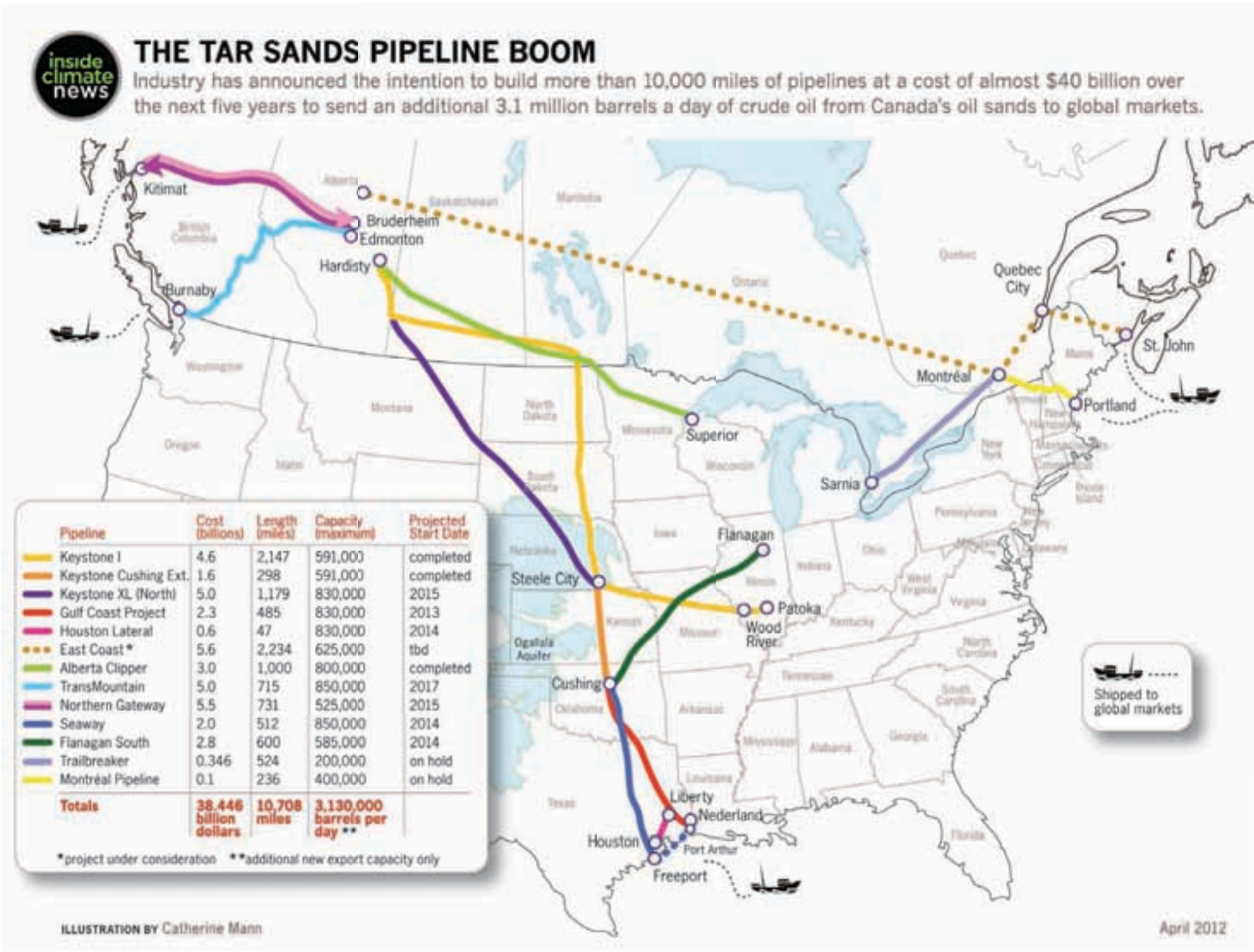
Industry officials are painfully aware of their predicament. In an Annual Information Form released at the end of 2011, Canadian Oil Sands Limited, owner of the largest share of Syncrude Canada (one of the leading producers of tar-sands oil) noted:

“A prolonged period of low crude oil prices could affect the value of our crude oil properties and the level of spending on growth projects and could result in curtailment of production... Any substantial and extended decline in the price of oil or an extended negative differential for SCO compared to either WTI or European Brent Crude would have an adverse effect on the revenues, profitability, and cash flow of Canadian Oil Sands and likely affect

the ability of Canadian Oil Sands to pay dividends and repay its debt obligations.”

The stakes in this battle could not be higher. If Keystone XL fails to win the president's approval, the industry will certainly grow at a far slower pace than forecast and possibly witness the failure of costly ventures, resulting in an industry-wide contraction. If approved, however, production will soar and global warming will occur at an even faster rate than previously projected. In this way, a presidential decision will have an unexpectedly decisive and lasting impact on all our lives.

*An earlier version of this article appeared on TomDispatch.com.*





# 'Sanity from Death Row'

## FILMMAKER EXPLORES THE LIFE OF MUMIA ABU-JAMAL

*Long Distance Revolutionary: A Journey with Mumia Abu-Jamal*

DIRECTOR: STEPHEN VITTORIA (FIRST RUN FEATURES, 2012)

*Did Mumia shoot the cop? Or was he framed by a racist criminal justice system?*

These questions have swirled around Mumia Abu-Jamal in the three decades since he became the United States' most famous death row inmate following his arrest and conviction for the 1981 murder of Philadelphia police officer Daniel Faulkner. In a new documentary film on Mumia that recently debuted in New York, director Stephen Vittoria (*The U.S. vs. John Lennon* and *One Bright Shining Moment: The Forgotten Summer of George McGovern*) skips over the long-running debate about Mumia's legal case. Instead, he takes the long view of the life and times of a man who became a Black Panther leader in his teens and later galvanized millions of supporters (and legions of detractors) from around the world with his writings and commentaries from Pennsylvania's death row.

**JOHN TARLETON:** Why did you make this film?

**STEPHEN VITTORIA:** When you wake up in a country that you realize is run by mass murderers, economic rapists and general run-of-the-mill racists and misogynist psychopaths, you start looking for some sanity. And for me the sanity came from a dark, dank hole on death row in the state of Pennsylvania's Department of Corrections, and that was Mumia Abu-Jamal. We've made the unthinkable normal in this society and I think Mumia reminds us of that all the time.

**JT:** You chose not to make this movie about the case. You wanted to go somewhere else?

**SV:** Everything that's ever been done about Mumia, whether it's been a film, a video, a book, an article, has always been about the case. So as a filmmaker, I wasn't interested in mining 25 or 30 years of existing material just to regurgitate it and come up with my own spin on it.

But from an aesthetic standpoint and from a storytelling standpoint there's a narrative to be told about Mumia's life as a journalist and a writer that's an incredible story. You have a young man coming up



Director Stephen Vittoria

out of a very, very tough existence, growing up in the projects of Philadelphia and educated to the point where he's becoming a major reporter at the age of 28 for National Public Radio, for *All Things Considered*, and that career is snuffed out. And then, lo and behold, he continues the career under draconian and harsh conditions from prison.

**JT:** What was it like visiting Mumia?

**SV:** It was pretty intense. They have him caged in a plexiglass kind of a hermetically sealed room and I'm in a hermetically sealed room. There's sort of an opening on both sides of the plexiglass where our voices could go through.

It was an incredible meeting because in the back of your mind you expect him to be angry and bitter. And he's just — he's transcended that place. He puts his visitors at ease and he is very gregarious and very much himself. You get the sense that he also works incredibly hard in prison as a writer. He has a very specific regimen when he writes. He told me there's certain days he takes off and he'll exercise or read or do other things. And then there's days and hours that he absolutely has to write.

It's very much like a factory existence. I think that's one of the ways he stays sane; the sanity is in the writing. The same sanity I found in his writing I think he ends up giving to himself with his research and his writing.

Our visits were incredibly long — each time for like six, seven hours. No food, no water, we just rapped. And a lot of times it wasn't about political things, it was about goofy things and ... He's never been on a computer so he's very, very interested in what's available out there and how, what you can find online. Because when he went into prison, in 1981, it was typewriters and long nights in the library.

**JT:** Does the meaning of Mumia's life change if he was in fact guilty of the shooting of Officer Faulkner?



**BEHIND THE WALLS:** Former death row inmate Mumia Abu-Jamal has authored many books and is the subject of a new documentary movie about his life.

*Does he have to be innocent of the crime to be a prophetic voice?*

**SV:** That's an excellent question. I don't think he has to be innocent of a crime. Hell, we've had American presidents that are responsible for two or three million deaths. It's like the old saying, kill one person, call it murder, kill a million, call it foreign policy.

I wholeheartedly believe in Mumia's innocence not only from my own personal connection to him but just from what I know of an incredibly skewed case. I believe him to be completely innocent. But does the body of his work and the body of his life change if December the 9th, 1981, actually did happen with him as a guilty party? For me, absolutely not. Maybe for other people it would. It's probably very personal for everybody. But it would not change for me, although I know in my heart and in my mind that he's innocent.

**JT:** You had a previous film about George McGovern's 1972 presidential campaign. Do you see any connection between that work and this one?

**SV:** I do. George was a revolutionary within the system but a politician nonetheless. He was very, very different from the rest of his brethren in the Senate and he was probably the most antiwar candidate to ever win a major party nomination. I think it scared the shit out of a lot of people that he got that close to the White House.

Mumia is a classic revolutionary outside the system. I think the similarities are that they both intensely wanted to change the system, Mumia from the outside, which is where I think change actually happens from, and McGovern from the inside. There's some similarities, there's a whole lot of differences.

**JT:** What do you think the future holds for Mumia? There have been comments from Mumia's opponents saying they hoped he would rot in oblivion in the Pennsylvania prisons now that his sentence has been commuted from death to life without parole.

**SV:** They even went to the extent of saying that they would hope that someone in prison did the job

that they were never able to do. That kind of sounds like a threat to me, but it seemed to fall on deaf ears as far as the authorities in Pennsylvania went.

Mumia is very, very well respected in prison by the other prisoners. They realize what he's done for them as a jailhouse lawyer and helping people fight the system and get retrials and submit briefs and change things.

I don't know what the future holds for Mumia. He's 58 right now and the powers that be are hellbent on keeping that man in prison. But there are a lot of people on the outside that continue to fight for Mumia's freedom, and I think that if they can catch a break and they can catch some mercy they might find some freedom.

I know Mumia will, to his dying breath, continue to fight for others; he will continue to write; he will continue to broadcast from prison until he can't do it anymore. I hope and pray that he sees the light of day at some point.

For more information, see [mumia-themovie.com](http://mumia-themovie.com).



# Showing the Unshowable

*The Last Pictures*  
TREVOR PAGLEN  
METRO PICTURES  
519 W. 24TH ST.  
THROUGH MARCH 9

I can see the night-lit airfield, the solemn men in military garb, the flag-draped coffin; just Google “Staff Sergeant Phillip A. Myers” and you’ll see it, too. The documenting of Myers’ coffin as it returned from Afghanistan in 2009 marked the end (for now) of the government’s ban on photographing the caskets of dead soldiers as they return to U.S. soil. While the ban had been in effect since 1991, it is perhaps most strongly associated with the second Bush administration, and with the vociferous rage and whispered, fearful secrecy that seems to have defined the country in those years immediately after 9/11. At a time when the world was growing increasingly more saturated with images, the U.S. government was expanding its abilities to conceal and redact, increasing the military and building up the “black



*Greek and Armenian Orphan Refugees Experience the Sea for the First Time, Marathon, Greece. Trevor Paglen, The Last Pictures.*

at Metro Pictures includes *Untitled (Predator Drone)* (2012): a lovely, large-scale photo of a desert sky, totally clear except for that odd little bug-like thing hovering in the corner. The show also features images of creepy contrails over restricted airspace and the shimmering nighttime orbits of old spy satellites. One of the exhibition’s more lucid images shows some sort of under-construction industrial facility in Bluffdale, Utah, part of the National

Security Agency’s domestic surveillance infrastructure that will allow the government to harvest and monitor enormous amounts of data. But, even this image still feels abstract: an anonymous bunch of offices in the desert somewhere; shot at night, it feels unknowable even as a direct representation. In an October *New Yorker* profile,

glen to be etched onto a golden disc and shot into space; Paglen worked with scientists to create an artifact that could last for billions of years, and the disc was attached to a satellite and launched in late 2012. If, in three billion years, some extraterrestrials come across the husk of our planet, Paglen’s project may indeed be the best/only record of our species’ time here. There’s the Tower of Babel, the Hoover Dam, a still from a Japanese science-fiction B movie and images relating to language, photography and art. *The Last Pictures* gets out of Paglen’s grasp a bit — for all his gifts, he may not be the perfect custodian for thousands of years of human history. But *The Last Pictures* is also a record of the present moment, a reflection on how the acts of seeing and being seen have been complicated by modern technology.

One of Paglen’s *Last Pictures* is a view of people through the “eyes” of a predator drone. Lately, drones have become a major subject of Paglen’s work, a direct referent to the modern security state, which, of course, shows no sign of dissipating any time soon. The Obama administration’s reversal of the ban on photographing soldiers’ flag-draped coffins was perhaps meant to symbolize a post-Bush era of institutional honesty, but the United States’ clandestine surveillance culture has only grown, becoming more quotidian, and, thus, more accepted. In a 2006 interview, Paglen said that he’s trying to show us “what the secret state looks like,” but in a sense, we already know what it looks like. We see it every day.

— MIKE NEWTON



*Migrants Seen by Predator Drone, U.S.-Mexico Border. Trevor Paglen, The Last Pictures.*

world” of (why mince words?) torture sites and killing machines that most of us can only hope we never see.

This is the world in which Trevor Paglen emerged as an artist, as someone who documents the undocumented. Paglen holds both a PhD in geography and an MFA, and his artwork combines diligent research with poetic abstraction.

In his earlier work, for example, Paglen photographed officially unrecognized CIA “black sites” from far away: the images come to us bent and blotted by miles of heat and light. His current exhibition

Paglen explains that he eschews technology that might make his photos more clear: without the allegory and suggestion that come with blurred, distant imagery, all you’d get is “a picture of a building.” Paglen’s work doesn’t just seek to tell us that these winged predators and torture chambers really exist; we already know they’re out there. Paglen is trying to convey how they exist: the barbed-wire secrecy and vague remove that allows a civil society to build monsters in the dark.

The exhibition is largely given over to *The Last Pictures* — a series of 100 images chosen by Pa-

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